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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

August 21, 2024

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

v.

TODD McCOY,

Defendant.

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§
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§
§
§

CRIMINAL NO. 4:24-cr-00445

UNDER SEAL

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Possession with Intent to Distribute Controlled Substance)

On or about December 12, 2023, in the Southern District of Texas and elsewhere within
the jurisdiction of the Court, **Defendant,**

TODD McCOY

did knowingly and intentionally possess with intent to distribute a controlled substance. This
violation involved at least five (5) grams of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(viii).

COUNT TWO

(Use or Carry a Firearm During and in Relation to a Drug Trafficking Crime)

On or about December 12, 2023, in the Southern District of Texas and elsewhere within
the jurisdiction of the Court, **Defendant,**

TODD McCOY

did knowingly use or carry a firearm, that is, an FNH, model 509, 9x19 millimeter pistol, during
and in relation to a drug trafficking crime, that is, the possession with intent to distribute a
controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as alleged in

Count One of this Indictment, for which the defendant may be prosecuted in a court of the United States.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 924(c)(1)(A)(i).

COUNT THREE

(Possession with Intent to Distribute Controlled Substance)

On or about December 27, 2023, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendant,**

TODD McCOY

did knowingly and intentionally possess with intent to distribute a controlled substance. This violation involved at least 50 grams of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

COUNT FOUR

(Use or Carry a Firearm During and in Relation to a Drug Trafficking Crime)

On or about December 27, 2023, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendant,**

TODD McCOY

did knowingly use or carry a firearm, that is, an Anderson Manufacturing, Model AM-15, .223 caliber rifle, during and in relation to a drug trafficking crime, that is, the possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count Three of this Indictment, for which the defendant may be prosecuted in a court of the United States.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 924(c)(1)(A)(i).

COUNT FIVE

(Possession with Intent to Distribute Controlled Substance)

On or about January 25, 2024, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendant,**

TODD McCOY

did knowingly and intentionally possess with intent to distribute a controlled substance. This violation involved at least 50 grams of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

COUNT SIX

(Use or Carry a Firearm During and in Relation to a Drug Trafficking Crime)

On or about January 25, 2024, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendant,**

TODD McCOY

did knowingly use or carry a firearm, that is, a Glock pistol, model 43, 9mm in caliber, and a Springfield Armory pistol, model XD45, .45 in caliber, during and in relation to a drug trafficking crime, that is, the possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count Five of this Indictment, for which the defendant may be prosecuted in a court of the United States.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 924(c)(1)(A)(i).

NOTICE OF CRIMINAL FORFEITURE
(21 U.S.C. § 853(a))

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. § 853(a).

Pursuant to Title 21, United States Code, Section 853(a), the United States of America gives notice to **Defendant**,

TODD McCOY

that upon conviction of an offense in violation of Title 21, United States Code, Section 841, the following is subject to forfeiture:

- 1) all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation; and
- 2) all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

NOTICE OF FORFEITURE
18 U.S.C. § 924(d)(1)

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), the United States gives notice to **Defendant**,

TODD McCOY

that upon conviction of a violation of Title 18, United States Code, Section 924, all firearms and ammunition involved in said violation are subject to forfeiture, including, but not limited to, the following:

- 1) FNH USA pistol, model 509, 9x19mm caliber, serial number GKS0190082;
- 2) Anderson Manufacturing rifle, Model AM-15, .223 caliber, serial number 20311935;
- 3) Glock pistol, model 43, 9mm caliber, serial number BKDF204; and
- 4) Springfield Armory (HS Produkt) pistol, model XD45, .45 caliber, serial number BB130563.

If any of the property described above, as a result of any act or omission of the defendant:

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third party;
- c) has been placed beyond the jurisdiction of the court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL:

Original Signature on File
FOREPERSON OF THE GRAND JURY

ALAMDAR S. HAMDANI
UNITED STATES ATTORNEY



JOHN S. GANZ
Assistant United States Attorney